

**P104. Demolition of Existing Building and Erection of Care Home (Class 8) at Bo'ness Care Home, 11 – 11A Bridgeness Lane, Bo'ness, EH51 9LQ, for Atlantis Medicare Ltd – P/19/0558/FUL**

The committee considered a report by the Director of Development Services on an application for planning permission for the demolition of existing building and erection of care home (class 8) at Bo'ness Care Home 11 – 11A Bridgeness Lane, Bo'ness, EH51 9LQ for Atlantis Medicare Ltd.

**Decision**

**The committee agreed to grant planning permission subject to the following conditions:-**

- (1) the development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of this permission unless a variation is required by a condition of the permission or a non-material variation has been agreed in writing by Falkirk Council as Planning Authority;**
- (2)(i) no development shall commence on site unless otherwise agreed with the planning authority until a contaminated land assessment has been submitted and approved. The assessment must determine the nature and extent of any contamination on the site, including contamination that may have originated from elsewhere. Any potential risks to human health, property, the water environment and designated ecological sites should be determined. The contaminated land assessment must be approved in writing by the Planning Authority;**
- (ii) where contamination (as defined by Part IIA of the Environmental Protection Act 1990) is encountered, a detailed remediation strategy should be submitted to the Planning Authority demonstrating that the site will be made suitable for its intended use by removing any unacceptable risks, caused by the contamination. The scheme must be approved in writing by the Planning Authority;**
- (iii) prior to the commencement of development of the site, the remediation works must be carried out in accordance with the terms and conditions of the remediation scheme, and as agreed by the Planning Authority. No part of the development shall be occupied until a remediation completion report/validation certificate endorsed by the relevant parties have been submitted to and agreed in writing by the Planning Authority;**
- (iv) if unexpected contamination is found after development has begun, development of the affected part of the site must stop. The developer must notify the Planning Authority immediately and carry out a contaminated land assessment, and undertake any necessary remediation works, before development of the affected part of the site may continue;**

- (3) no development shall commence on site until an appropriate scheme of intrusive site investigation works has been undertaken to confirm coal mining conditions. The findings and details of any necessary remedial or other mitigation measures to ensure the safety and stability of the proposed development shall be submitted to and approved in writing by the Planning Authority. The approved mitigation measures shall be implemented prior to the development commencing;
- (4) no development shall commence on site until a proposed drainage strategy and associated design detail has been submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details;
- (5) the development hereby approved shall not be occupied or brought into use until the following documents have been submitted to and approved in writing by the Planning Authority:
- (i) a copy of the appropriate sustainability label (i.e. at least Bronze Active); and
  - (ii) a Statement of Conformity which confirms that 10% of the required CO2 emissions reduction is achieved through the installation of low and zero carbon generating technologies.
- Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by Falkirk Council. The approved details shall be implemented in accordance with the approved timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.
- (6) samples of all external materials to be used in the development shall be submitted for the consideration of the Planning Authority and no work shall begin until written approval of the Planning Authority has been given;
- (7) no development shall commence on site until a photographic record of the existing building (to be demolished) is made and deposited at Callendar House archives. The record shall be in the form of a report and should include an internal and external examination, and
- (8) the proposed car park and vehicular access, as shown on the approved proposed site plan (our online reference No. 03), shall be fully developed and available for use prior to occupation of the care home hereby approved.

**Reason(s):-**

1. As these drawings and details constitute the approved development.
- 2,3 To ensure the ground is suitable for the proposed development.

4. To ensure that adequate drainage is provided.
5. To ensure the development achieves the required CO2 emission reduction as a result of development.
6. To safeguard the visual amenity of the area.
7. To ensure a record of the demolished building is retained.
  
8. To ensure that parking provision and access arrangements are to an acceptable standard.

**Informative(s):-**

1. In accordance with section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended), this permission lapses on the expiration of a period of 3 years beginning with the date on which this permission is granted unless the development to which this permission relates is begun before that expiration.
2. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01 - 03, 04A, 05 - 07 and Supporting Documents.
3. The applicant shall ensure that noisy work which is audible at the site boundary shall **ONLY** be conducted between the following hours:

**Monday to Friday                      08:00 - 19:00**

**Hours Saturday                      08:00 - 13:00**

**Hours**

**Sunday /                      No noise audible at site  
boundary Bank Holidays**